



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

**DEPARTMENT OF
ROADS AND TRANSPORT**

SMOKING POLICY

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GLOSSARY

- 1 **Public place**” means any indoor or enclosed area, which is open to the public or any part of the building including the workplace.
- 2 **“Workplace”** means any indoor or enclosed area in which employees perform the duties of their employment including office accommodation, canteen/kitchens, corridor, lobby, departmental fleet including subsidized vehicles, walk ways (Passages), stairways, elevators, store rooms, workshops, toilets/ ablution block, meeting rooms, foyers, training facilities, lifts, conference rooms, tea rooms or other common areas frequented by such employees, learners or members of the public.
- 3 **“Smoking** means to inhale, exhale, hold or otherwise have control over an ignited tobacco product, weed or plant, and “smoked” and “smoking” have corresponding meanings.
- 4 **“The Act”** refers to the Tobacco Product Control Act, 1993 (Act 83 of 1993) as amended by the Tobacco Product Control Amendment Act, 1999 (Act 12 of 1999) and Tobacco Product Control Amendment Act, 2008 (Act 63 of 2008).

1 PREAMBLE

- 1.1. The Limpopo Department of Roads and Transport, as the employer, acknowledges its responsibility to create and maintain a healthy working environment through the implementation of Tobacco Products Control Act, 1993 (Act No: 83 of 1993) as amended.

2 PURPOSE

- 2.1. To provide measures aimed at prohibiting, restricting and controlling smoking and the sale of tobacco products in departmental offices and other facilities and promote the good health and well-being of employees and that of persons visiting the department.

3 LEGAL FRAMEWORK

- 3.1 **The Constitution of the Republic of South Africa** provides that everyone has the right to an environment that is not harmful to their health or well-being.
- 3.2 **Tobacco Products Control Act, 1993 (Act No 83 of 1993)** as amended places certain obligations on an employer to prohibit restrict and control smoking in the working environment.
- 3.3 **Notice relating to smoking of Tobacco Products in Public Places No R975 of 29 September 2000** gives guidelines on how to designate a smoking area and non-smoking area.
- 3.4 **Occupational Health and Safety Act, 1993 (Act No 85 of 1993)** requires the employer to create and maintain a healthy and safe working environment for its employees and customers.
- 3.5 **The Public Service Regulations, 2001** require the Head of a Department to establish and maintain a safe and healthy work environment for the employees of the department.
- 3.6 **Disciplinary code and procedures (PSCBC Resolution 1 OF 2003)** stipulates acts of misconduct in the workplace.

4 SCOPE OF APPLICATION

- 4.1 This policy shall be applicable to all employees of the Limpopo Department of Roads and Transport appointed in terms of the Public Service Act, including persons visiting the department.

5 MAJOR POLICY PRINCIPLES

- 5.1 The department shall designate portions of its facilities as smoking areas.
- 5.2 The designated areas shall be separated from the rest of the working areas.
- 5.3 The designated areas should have the signs “**SMOKING AREA**” written in block letters, of at least 2cm in height and 1, 5 cm in breath, on a white background.
- 5.4 The ventilation of the designated smoking areas should be such that air from the smoking areas is directly emitted to the outside and is not re-circulated to any other areas within the workplace.
- 5.5 The message: **SMOKING OF TOBACCO PRODUCTS IS HARMFUL TO YOUR HEALTH AND TO THE HEALTH OF CHILDREN, PREGNANT WOMEN AND NON-SMOKERS, FOR HELP TO QUIT SMOKING PHONE: 011 720 3145** should be displayed in the designated smoking areas.
- 5.6 The Department shall permanently display the sign “**NO SMOKING**” in areas where smoking is not permitted, written in black letters of at least 2cm in height and 1, 5 cm in breath, on a white background.
- 5.7 The Department shall permanently display this warning message next to the no smoking signs that “ **ANY PERSON WHO FAILS TO COMPLY WITH THIS NOTICE SHALL BE SUBJECTED TO DISCIPLINARY MEASURES IN LINE WITH PSCB RESOLUTION NO. 1 OF 2003 (DISCIPLINARY CODES AND PROCEDURES)**”
- 5.8 Smoking will only be permitted in the designated areas and cigarette buds need to be placed in the ash trays provided.

6 ENFORCEMENT OF THE POLICY AND RESPONSIBILITIES

- 6.1** Employees and visitors to the department are responsible for complying with the provisions of this directive, which encompasses the general duties of employees at work as contemplated in the OHS Act.
- 6.2** Employees shall not smoke in communal areas of property occupied by the Limpopo Department of Roads and Transport. This is also applicable to any person visiting such communal areas.

7 MONITORING AND EVALUATION

- 7.1** The Occupational Health and Safety Sub- Directorate in the department will monitor the development and implementation of the policy.

8 POLICY IMPLEMENTATION

- 8.1** The policy shall come into effect on the first date of the month following the month in which the Executing Authority approved it.

9 POLICY REVIEW

9.1 The policy will be reviewed when need arises.

Recommended / ~~Not Recommended~~

Ashley
ACCOUNTING OFFICER

18/02/2011
Date

Approved / ~~Not approved~~

Approved

Bokana
MEMBER OF EXECUTIVE COUNCIL

06/03/2011
Date